

REMARKS

The Official Action mailed December 28, 2007, has been received and its contents carefully noted. This response is filed within three months of the mailing date of the Official Action and therefore is believed to be timely without extension of time. Also, filed concurrently herewith is a *Request for Continued Examination*. Accordingly, the Applicant respectfully submits that this response is being timely filed.

The Applicant notes with appreciation the consideration of the Information Disclosure Statements filed on March 29, 2004; April 13, 2004; May 4, 2005; and October 18, 2007.

A further Information Disclosure Statement is submitted herewith and consideration of this Information Disclosure Statement is respectfully requested.

Claims 2, 3, 5, 6, 13-24, 31-42, 44-47 and 49-52 were pending in the present application prior to the above amendment. Independent claims 2, 3, 5 and 6 have been amended to better clarify the features of the present invention, and new dependent claims 53-56 have been added to recite additional protection to which the Applicant is entitled. Accordingly, claims 2, 3, 5, 6, 13-24, 31-42, 44-47 and 49-56 are now pending in the present application, of which, claims 2, 3, 5 and 6 are independent.

Claims 17, 23, 35 and 41 have been withdrawn from consideration by the Examiner (Box 4a, Paper No. 20071221). Since claims 17, 23, 35 and 41 depend from independent claims 2, 3, 5 and 6, respectively, claims 17, 23, 35 and 41 necessarily require all the limitations of elected claims 2, 3, 5 and 6. Therefore, upon allowance of independent claims 2, 3, 5 and 6, dependent claims 17, 23, 35 and 41 should be eligible for rejoinder (see, for example, MPEP §§ 821 and 821.04, Rev. 5, Aug. 2006). Accordingly, claims 2, 3, 5, 6, 13-16, 18-22, 24, 31-34, 36-40, 42, 44-47 and 49-56 are currently elected, of which claims 2, 3, 5 and 6 are independent.

For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

The Official Action continues to reject claims 2, 3, 5, 6, 13-16, 18-22, 24, 31-34, 36-40, 42, 44-47 and 49-52 as obvious based on the combination of Figure 2 of the present specification, which the Official Action refers to as "Applicant's admitted prior art (AAPA)," JP 11-224781 to Nagayama, which the Official Action refers to as "JP '781," and U.S. Patent No. 6,538,374 to Hosokawa. The Applicant respectfully submits that a *prima facie* case of obviousness cannot be maintained against the independent claims of the present application, as amended.

As stated in MPEP §§ 2142-2143.01, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some reason, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some reason to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

The prior art, either alone or in combination, does not teach or suggest all the features of the independent claims, as amended. Independent claims 2, 3, 5 and 6 have been amended to recite that "the thin film transistor contains a semiconductor layer and a gate electrode over the semiconductor layer, wherein the gate electrode contains a first conductive layer which has a tapered cross section and a second conductive layer which does not have a tapered cross section over the first conductive

layer, and wherein a top surface of the first conductive layer is wider than a bottom surface of the second conductive layer." These features are supported in the present specification, for example, by Figure 6D. The claims have also been amended to remove features which are not believed to be critical to the patentability of the claims.


The Applicant respectfully submits that AAPA, JP '781 and Hosokawa, either alone or in combination, do not teach or suggest the above-referenced features of the present invention.

Since AAPA, JP '781 and Hosokawa do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

New dependent claims 53-56 have been added to recite additional protection to which the Applicant is entitled. The features of claims 53-56 are supported in the present specification, for example, by page 22, last paragraph. For the reasons stated above, the Applicant respectfully submits that new claims 53-56 are in condition for allowance.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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